

Proposal 236 was submitted prior to the proposal deadline for the 2012–2013 Board of Fisheries’ cycle, but was inadvertently omitted from the proposal book. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 236 – 5 AAC 39.205; 5 AAC 75.017; 5 AAC 77.007. Criteria for the allocation of fishery resources among personal use, sport, and commercial fisheries. Establish allocation criteria with assigned point values to a user group as part of a weighted system when making allocation decisions among user groups in salmon fisheries, as follows:

I would prefer to see a weighted system established where each of the criteria’s is assigned values so that each point or points can be assigned to a user group.

ISSUE: Confusion factor on how the allocation criteria are to be implemented. Which of the individual criteria has the highest priority or are there point values added to each item?

WHAT WILL HAPPEN IF NOTHING IS DONE? The public will continue to be confused as how the allocation process is supposed to be applied between user groups. Controversy over which of the criteria has the highest value, can two or three of these criteria’s can be group together to establish a higher priority.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? The all Alaskans would be able to see and understand how the allocations are assigned between users.

WHO IS LIKELY TO SUFFER? The one percent of Alaskans and a few nonresidents that are pursuing species, which have had season harvest limits, reduce due to shortages or other management actions.

OTHER SOLUTIONS CONSIDERED? Legislation would be required to change AS 16.05.251.

PROPOSED BY: Bruce Knowles. (SC-F12-005)

Proposal 237 was submitted prior to the proposal deadline for the 2012-2013 Board of Fisheries’ cycle, but was inadvertently omitted from the proposal book. This proposal will be considered by the board at its ARCTIC-YUKON-KUSKOKWIM FINFISH meeting scheduled for January 15-20, 2013.

PROPOSAL 237 – 5 AAC 74.010(c)(18). Seasons, bag, possession, and size limits, and methods and means for the Tanana River Area; 5 AAC 74.065. Tanana River Area Stocked Waters Management Plan. Allow lakes of a specific size to be managed as trophy stocked waters, as follows:

That medium sized lakes like Rainbow Lake would not be considered a trophy fish lake and would have a normal fishing limit.

ISSUE: Trophy lakes are a poor use of state monies and of the resource. #1 small remote lakes like Rainbow Lake behind Whitestone Farms in Big Delta is too small to grow real trophy fish and is too far for the public to travel for a limit of ONE fish as stipulated now by Fish and Game. Result = A lot of state dollars spent on stocking lakes that cannot reproduce and won't be adequately fished.

WHAT WILL HAPPEN IF NOTHING IS DONE? Because there is no fresh H2O inlet and thus the fish cannot reproduce the fish die. No one travels 12 miles for one fish. Previously Rainbow Lake was used a lot. In March 2012, Rainbow Lake showed no use = no holes.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, because with the current Fish and Game regulations the fish just die and are not caught. Your very purpose in stocking the lakes is defeated by your regulations.

WHO IS LIKELY TO BENEFIT? It would not ever hurt a rich man with lots of time and a big ego but even he won't catch a trophy there with no competition. Everyone. The lake is moderately accessible in the winter and the public would use it if there were a reasonable limit.

WHO IS LIKELY TO SUFFER? No one. As the regulations stand even the leisurely rich would have no competition no trophy as lake is small.

OTHER SOLUTIONS CONSIDERED? It is simple, the lake should serve the public. With a limit of one fish, it does not.

PROPOSED BY: E.R. Ferguson. (HQ-F12-250)

Proposal 238 was submitted prior to the proposal deadline for the 2012-2013 Board of Fisheries' cycle, but was inadvertently omitted from the proposal book. This proposal will be considered by the board at its BRISTOL BAY FINFISH meeting scheduled for December 4-12, 2012.

PROPOSAL 238 – 5 AAC 06.333. Requirements and specifications for use of 200 fathoms of drift gillnet gear in Bristol Bay. Allow one permit holder who owns two drift gillnet permits to use 200 fathoms drift gillnet gear, and operate the gear from a single vessel.

In the Bristol Bay Salmon Drift Net Fishery one individual may hold two Limited Entry permits for that fishery in his or her name and fish those permits on one vessel. The vessel fishing in the dual permit configuration may fish no more than a total of 200 fathoms of gear. (This is one hundred fathoms or 33% less than would be fished by those two permits if the permits were operated separately).

ISSUE: Presently only setnet fisherman are allowed to have two permits in the name of the same person for the purpose of “permit stacking”. Drift fisherman should be afforded the same ability in regard to holding permits in one name. The present regulation is cumbersome and does not allow the same advantage of being able to responsibly invest in their business by owning and fishing two permits. The second problem that exists that is addressed by this proposal is the issue of too many permits in the Bristol Bay Drift Salmon Fishery. The optimum number range established in 2005 by CFEC is 900-1400 permits. Presently there are over 1800 permits in the Bristol Bay Salmon Drift Net Fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Bristol Bay Salmon Drift Net Fishery will continue to be plagued by too many boats and the economic sustainability of the fishery will be challenged at best. Creating regulation that allows two permits to be held and fished by the same individual will reduce the number of boats fishing, reduce the amount of gear in the water by 10,000 fathoms for every 100 permits that fish in the dual configuration and make the fishery more manageable, orderly and profitable for all participants.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes, the ability to fish two permits reduces the number of boats fishing. The fishery will become economically sustainable to the extent that individuals can responsibly invest revenue into technology that will improve overall quality; refrigeration, salmon slides, vessel improvement specific to raising product quality.

WHO IS LIKELY TO BENEFIT? All fisherman will benefit. Every permit that fishes in the dual configuration will be one less permit operating a separate 150 fathom unit of gear. The CPUE for each boat in the fishery, dual permit or single will increase. There will be less crowding as a result of fewer boats. The fishery should become more manageable from an enforcement perspective given the reduction in the number of boats.

WHO IS LIKELY TO SUFFER? I truly believe that this proposal represents a win-win situation for all participants for all of the reasons previously mentioned.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Matthew Luck. (HQ-F12-251)

Proposal 239 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its BRISTOL BAY FINFISH meeting scheduled for December 4-12, 2012.

PROPOSAL 239 – 5 AAC 67.022(g)(6). Special provisions for seasons, bag, possession, and size limits, and methods and means in the Bristol Bay Area. Limit sport and guided sport fishing for king salmon in the Nushagak River drainage, excluding the Wood River drainage, to unbaited, single-hook, artificial lures from May 1 through July 31, as follows:

(g) In the Nushagak River drainage, excluding the Wood River drainage, and unless otherwise specified in 5 AAC 06.361 or 5 AAC 06.368, the following special provisions apply:

(6) only unbaited, single-hook, artificial lures may be used May 1 through July 31.

ISSUE: Anglers on the Nushagak River anecdotally catch and release many king salmon per angler per day during periods of high king salmon abundance. Regulations allow the use of multiple hook lures and bait raising concerns of catch and release related mortality in the fishery.

WHAT WILL HAPPEN IF NOTHING IS DONE? Anglers will continue to use bait, which is demonstrated to result in higher catch rates relative to when bait is not used, and may contribute to release related mortality, and multiple hook lures in the sport king salmon fishery.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No, though if fewer king salmon are caught and released, the harvested fish may be less likely to suffer hook related injury.

WHO IS LIKELY TO BENEFIT? Anyone who wants to reduce catch rates of king salmon by sport anglers on the Nushagak River.

WHO IS LIKELY TO SUFFER? Anglers who use bait and/or treble hooks to catch king salmon in the Nushagak River sport fishery.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries. (HQ-F12-XXX)

Proposal 240 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its ARCTIC-YUKON-KUSKOKWIM FINFISH meeting scheduled for January 15-20, 2013.

PROPOSAL 240 – 5 AAC 05.330. Gear and 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan. Establish times when a commercial gillnet permit holder in the Lower Yukon Area districts 1–3 may use dip net and beach seine gear to commercially harvest chum salmon during the summer season, including specifications and operations provisions for dip net and beach seine gear, as follows:

5 AAC 05.330. Gear. (a) **Except as provided in 5 AAC 05.362(k), in** [IN] Districts 1 – 3, set gillnets and drift gillnets only may be operated, except that in District 1 after July 15 set gillnets only may be operated in the following locations:

5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan.

(k) In Districts 1–3, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial gillnet fishing season and immediately reopen a fishing season during which

- (1) dip net and beach seine gear may be used; and
- (2) all king salmon caught in dip net and beach seine gear must be returned immediately to the water alive.

ISSUE: King salmon run size is currently at a level where Alaskan subsistence and Canadian aboriginal needs have not been fully satisfied in the past few years. Despite low king salmon runs, there have been annual surpluses of summer chum salmon, in excess of escapement requirements and subsistence needs, available for commercial harvest. Additionally, there has been renewed market interest in summer chum salmon, with relatively high prices paid to commercial fishermen. However, because of the concern for king salmon escapement and the agreed-upon commitment to Canada, much of the summer chum salmon harvestable surplus goes unharvested due to overlapping run timing with king salmon. This foregone harvest has been substantial in recent years, more than 1,000,000 fish in both 2011 and 2012.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial fishermen will not be able to harvest the abundant summer chum salmon surplus. Fishermen and processors will suffer because of the lack of summer chum salmon harvests. Jobs in the community, as well in processing facilities in Anchorage, will be lost. Fishermen will lose income and processors will lose markets and market share.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Commercial fishermen in districts 1–3.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries. (formerly ACR 3)

Proposal 241 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its ARCTIC-YUKON-KUSKOKWIM FINFISH meeting schedule for January 15-20, 2013.

PROPOSAL 241 – 5 AAC 05.362. Yukon River Summer Chum Salmon Management Plan. Provide department emergency order authority to restrict gear to fish wheels only, require fish wheels to be closely attended, and live-release of king salmon in District 6 during times necessary to conserve king salmon, as follows:

(j) In Subdistrict 4-A **and District 6**, during times when the commissioner determines that it is necessary for the conservation of king salmon, the commissioner may, by emergency order, close the commercial set gillnet fishing season and immediately reopen the fishing season during which

- (1) a fish wheel may be used;

(2) the permit holder shall be present at and attend the fish wheel at all times while the fish wheel is in operation; and

(3) all king salmon caught in the fish wheel must be returned to the water alive immediately.

ISSUE: Yukon River summer chum salmon runs have been large in recent years, with a surplus available for commercial harvest. However, the overlapping king salmon runs have been weak, necessitating subsistence fishing restrictions in order to meet escapement goals. Although a directed District 6 commercial fishery on summer chum salmon may be warranted based on inseason summer chum abundance, king salmon will be caught incidentally in this fishery. If commercial fishing is delayed in District 6 until a majority of the king salmon run passes, a majority of the summer chum salmon run will also pass and be unavailable for harvest. This proposal would allow the District 6 commercial fishery to be opened earlier in the summer chum salmon run by emergency order, while still conserving king salmon.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be a foregone harvestable surplus of summer chum salmon and a loss of economic benefit to fishermen in District 6. Fishing will not be allowed earlier in the run when fish quality is better.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Yes.

WHO IS LIKELY TO BENEFIT? Commercial fishermen in District 6.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries. (formerly Yukon River fish wheel ER)

Proposal 242 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its ALASKA PENINSULA/ALEUTIAN ISLANDS FINFISH meeting scheduled for February 26 – March 4, 2013.

PROPOSAL 242 – 5 AAC 09.332(a). Seine specifications and operations. Allow commercial salmon seine net depth in the Alaska Peninsula Area to be measured in feet and inches, which would allow additional webbing to be attached beyond the current restriction of 350 meshes of three and one-half inch and 25 meshes of seven inches, as follows:

(a) Purse seines or hand purse seines may not be less than 100 fathoms nor more than 250 fathoms in length. A purse seine or hand purse seine may not exceed **116 feet 8 inches** [375 MESHES] in depth. Seine mesh may not be more than three and one-half inches, except that the first **14 feet 7 inches** [25 MESHES] above the leadline may not **have meshes** [BE] more than 7 inches **in mesh size**.

ISSUE: The description of legal seine gear in 5 AAC 09.322 states that seines must be between 100 and 250 fathoms in length and not exceed 350 meshes in depth. Seine mesh size may not exceed three and one-half inches, except the first 25 meshes above the headline, which may not be more than seven inches in mesh size.

A few fishermen have purchased seine nets that meet the description of maximum allowable gear, but were put together with components that have subsequently shrunk and are said to fish less efficiently than nets that have maintained their original specifications. The shrunken nets may not be modified to increase their depth, since the depth restriction is expressed in “number of meshes”, which these nets already have. Fishermen with the shrunken nets may be at a disadvantage compared to fishermen who have nets of higher quality components.

WHAT WILL HAPPEN IF NOTHING IS DONE? Commercial fishermen who use seine net components that shrink will be at a disadvantage compared to commercial fishermen who fish with net components that do not shrink.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Those seiners using net seine net components that shrink.

WHO IS LIKELY TO SUFFER? Enforcement of seine gear depth will be more difficult.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries. (formerly ACR 5)

Proposal 243 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 243 – 5 AAC 39.212. Forage Fish Management Plan. Modify by the addition of Pacific herring as follows:

5 AAC 39.212. Forage Fish Management Plan.

(a) This management plan governs the commercial harvesting of forage fish species in the waters of Alaska.

(b) The board finds that forage fish perform a critical role in the complex marine ecosystem by providing the transfer of energy from the primary and secondary producers to higher trophic levels. The higher trophic levels include many commercially important fish and shellfish species. Forage fish also serve as important prey species for marine mammals and seabirds.

(c) The board finds that abundant populations of forage fish are necessary to sustain healthy populations of commercially important species of salmon, groundfish, halibut, and shellfish.

(d) Except as otherwise provided in 5 AAC 03 – 5 AAC 39, forage fish may not be commercially taken.

(e) A vessel fishing in a directed groundfish fishery may retain a maximum allowable bycatch of forage fish equal to no more than two percent of the round weight or round weight equivalent of the groundfish on board the vessel.

(f) For the purposes of this section, "forage fish" means the following species of fish:

- (1) Family Osmeridae (capelin, eulachon, and other smelts);
- (2) Family Myctophidae (laternfishes);
- (3) Family Bathylagidae (deep-sea smelt);
- (4) Family Ammodtidea (Pacific sand lance);
- (5) Family Trichodontidae (Pacific sandfish);
- (6) Family Pholidae (gunnels);
- (7) Family Stichaeidae (pricklebacks, warbonnets, eelblennys, cockscombs, and shannys);
- (8) Family Gonostomatidae (bristlemouths, lightfishes, and anglemouths);
- (9) species of the Order Euphausiacea (krill);
- (10) Family Clupeidae (Pacific herring).**

ISSUE: Currently, the *Forage Fish Management Plan* does not specify Pacific herring as a forage fish.

WHAT WILL HAPPEN IF NOTHING IS DONE? Regulations will remain unclear regarding whether the Alaska Board of Fisheries considers Pacific herring as a forage fish.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? N/A.

WHO IS LIKELY TO BENEFIT? Members of the public.

WHO IS LIKELY TO SUFFER? This proposal will not affect anyone currently participating in commercial herring fisheries that are specified in regulatory Chapters 5 AAC 03–5 AAC 39.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Board of Fisheries. (formerly ACR 1)

Proposal 244 is a new out-of-cycle proposal accepted by the board as an agenda change request at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 244 – 5 AAC 35.510(b)(2). Fishing seasons for Registration Area J. Change the weather delay criteria for opening the Chignik District Tanner crab fishery from small craft advisory to gale warning, as follows:

(b)(2) the inspections required under 5 AAC 35.555 and the season opening shall be delayed for 24 hours if the January 14, 4:00 a.m. National Weather Service marine forecast for the current day and night plus the following day and night contains a **gale warning** [SMALL CRAFT ADVISORY]; if after the initial weather delay, the 4:00 a.m. National Weather Service marine forecast for the current day and night plus the following day and night again contains a **gale warning** [SMALL CRAFT ADVISORY], the season opening will be delayed an additional 24 hours; the season opening delays may continue on a rolling 24-hour basis until 12:00 noon on January 25, when the season will open regardless of the National Weather Service marine forecasts; for the purposes of this paragraph, the corresponding National Weather Service marine forecast area for the Chignik District is Area 155: Coastal Waters South of the Alaska Peninsula Castle Cape to Cape Sarichef.

ISSUE: The Chignik Area rarely sees wind conditions of small craft or less in the month of January. Change the weather delay criteria of the Chignik District Tanner crab fishery to match Kodiak and South Peninsula districts.

WHAT WILL HAPPEN IF NOTHING IS DONE? The Chignik Area weather delay criteria may continue to restrict the fishery opening.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Vessel operators who want gale warning weather delay criteria.

WHO IS LIKELY TO SUFFER? Vessel operators who want small craft warning weather delay criteria.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alfredo S. Abou Eid. (formerly ACR 2)

Proposal 245 is a new out-of-cycle proposal accepted by the board as an agenda change request at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 245 – 5 AAC 34.610(d). Fishing seasons for Registration Area O. Change vessel size limit in state waters from 172° W long to 179° W long for the Aleutians Islands red king crab fishery, as follows:

(d) During a fishing season opened under (a) of this section in the waters of Alaska between 172° W. long. and 179° W. long., the commissioner may issue a permit only to a vessel **that is less than 60 feet** [90 FEET OR LESS] in overall length to fish for red king crab.

ISSUE: The language utilized in the agenda change request (ACR) 7 states that the proposal affects “the local fleet is Alaska limit under 60 feet”. It is unclear whether the intended action would apply to “Alaska limit” vessels—normally 58 feet and under—or to vessels under 60 feet. The ACR further states that with the opening of the fish plant on Adak Island, a pot fishery has developed in the area that has done very well during the winter months.

The area between 172° W long and 179 ° W long was not included in the North Pacific Fishery Management Council’s crab rationalization program and will be conducted in state waters only. The 90-ft limit was put in at a time vessels would have had to run 400 miles to deliver in Dutch Harbor. No crab fishery ever opened in the area so no large vessels ever fished red king crab in the area; thus, no large boats will be displaced. The pot cod season has proved smaller boats can fish the area in safely.

WHAT WILL HAPPEN IF NOTHING IS DONE? The vessel size limit in state waters will remain at 90 feet.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Vessels 60 feet and less.

WHO IS LIKELY TO SUFFER? Vessels over 60 feet.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Aleut Enterprise Corporation. (formerly ACR 7)

Proposal 246 is a new out-of-cycle proposal accepted by the board as an agenda change request at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 246 – 5 AAC 34.625(x). Lawful gear for Registration Area O. Establish a pot limit of 10 pots per vessel for red king crab from 172° W. long to 179° W. long., as follows:

(x) In the red king crab fishery from 172° W long. to 179° W long. established under 5 AAC 34.610(a), no more than 10 pots may be operated from a validly registered vessel.

ISSUE: Anecdotally, pods of red king crab are showing up in several bays near Adak; the volume is at present unknown. As Alaska Air has regular service, it would be advantageous to spread fishing seasons over a longer time to take advantage of the fresh market; a small boat fleet is onsite and could work it, along with other fisheries.

WHAT WILL HAPPEN IF NOTHING IS DONE? There will be no pot limit for this area.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Vessels wanting to fish with a low pot limit.

WHO IS LIKELY TO SUFFER? Vessels wanting to fish with a higher pot limit.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Aleut Enterprise Corporation. (formerly ACR 8)

Proposal 247 is a new out-of-cycle proposal accepted by the board as an agenda change request at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 247 – 5 AAC 30.350. Closed waters. Modify closed waters in the Tsiu River for the Yakutat salmon fishery, as follows:

5 AAC 30.350. Closed Waters.

(a) Salmon may not be taken in the following waters:

(12) Tsiu River: upstream from [OF] ADF&G regulatory markers located approximately **one half of the distance between Duck Camp Island and the river terminus** [ONE-HALF MILE DOWNSTREAM FROM DUCK CAMP ISLAND].

ISSUE: New information provided to the Alaska Board of Fisheries indicates that conflicts between commercial and sport users on the Tsiu River are ongoing. In order to provide for more orderly fisheries, the board would like to consider regulatory solutions.

WHAT WILL HAPPEN IF NOTHING IS DONE? Conflicts between user groups are expected to continue. There will continue to be interference with fishing activities, and potentially, public safety concerns.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR THE PRODUCTS PRODUCED BE IMPROVED? No.

WHO IS LIKELY TO BENEFIT? Sport fishermen would benefit by having an area within the river where they could fish without interference.

WHO IS LIKELY TO SUFFER? Commercial fishermen would have a reduced area where they could fish during openings. Depending on the number of commercial fishermen and the size of the open area, there is a potential for fewer productive fishing locations and for reduced commercial harvests at times.

OTHER SOLUTIONS CONSIDERED? The issue was previously considered during the Southeast Alaska Finfish meeting in Ketchikan in March 2012. Proposal 301 recommended closing two areas: one area would be closed below a marker 500 yards above mean high tide, and the second area would be closed upstream from a second marker located 1.5 miles upstream from the lower marker. Proposal 301, as initially submitted, was not adopted. During board deliberations, amended language was provided in RC 102 and adopted. After reconsideration, that action was revoked and no action was taken. This proposal reconsiders the action initially taken by adoption of RC 102.

PROPOSED BY: Alaska Board of Fisheries. (formerly ACR 9)

Proposal 248 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 248 – 5 AAC 39.290. Closed waters and 5 AAC 39.975. Definitions. Amend to clarify closed waters associated with salmon streams.

ISSUE: Regulations regarding waters closed to commercial salmon fishing and associated with salmon streams lack clarity for enforcement because terms and criteria in the AWC are being incorrectly applied to enforcement of commercial fishing violations. A clear separation between habitat regulations and commercial fishing closed waters regulations has not been established. Additionally, salmon stream mouths are not clearly defined in regulation.

There is confusion among stakeholders regarding use of the Anadromous Waters Catalog (AWC) for enforcement of 5 AAC 39.290(a), *Closed waters*. The AWC is incorrectly being used to inform court proceedings involving commercial salmon fishing closed waters violations. The definition of a salmon stream used for the AWC (AS 16.05.871(a)) does not match the definition given in 5 AAC 39.975(10), *Definitions*.

Furthermore, there is a lack of clarity concerning application of the 500-yard commercial fishery closure associated with salmon streams. Currently, in 5 AAC 39.290(a), *Closed waters*, “Commercial fishing for salmon is prohibited at all times within the streams and rivers of Alaska and within 500 yards of any salmon stream...” This regulatory description does not provide clear direction of how to measure the 500-yard closure.

Incorrect application of AWC terms and criteria to commercial fishing violations associated with salmon stream closed waters has affected the department’s ability to protect salmon streams.

WHAT WILL HAPPEN IF NOTHING IS DONE? A lack of clarity in regulations associated with salmon stream closed waters negatively affects the department's ability to protect and manage salmon.

WHO IS LIKELY TO BENEFIT? The people of the State of Alaska.

WHO IS LIKELY TO SUFFER? No one.

OTHER SOLUTIONS CONSIDERED? None.

PROPOSED BY: Alaska Department of Fish and Game. *(formerly ACR 19)*

Proposal 249 is a board-generated proposal created by the board at its October 2012 meeting. This proposal will be considered by the board at its STATEWIDE FINFISH AND SUPPLEMENTAL ISSUES meeting scheduled for March 19-24, 2013.

PROPOSAL 249 – 5 AAC 21.359. Kenai River Late-Run King Salmon Management Plan.
Consider regulatory changes to management plans to Kenai River king salmon.

ISSUE: This is a placeholder proposal to review department escapement goal changes to Kenai River late-run king salmon, and consider changes to the late-run king salmon management plan brought forth by the board appointed Upper Cook Inlet Task Force. During the October 2012 Alaska Board of Fisheries (board) Work Session, the board established a task force whose mission is to identify a set of recommended adjustments to the *Kenai River Late-Run King Salmon Management Plan* that would result in the best mix of inriver (sport, guided sport, and personal use), marine recreational, and Upper Subdistrict set gillnet fishing opportunity, while providing the best means of attaining the escapement goal for Kenai River late-run king salmon during times of low king salmon abundance.

WHAT WILL HAPPEN IF NOTHING IS DONE? The department will implement new interim escapement goal for the Kenai River late-run king salmon stock, and will apply the existing management plan stipulations to the new goal.

WILL THE QUALITY OF THE RESOURCE HARVESTED OR PRODUCTS PRODUCED BE IMPROVED? Unknown.

WHO IS LIKELY TO BENEFIT? All users will benefit from an agreed upon set of management provisions for Kenai River king salmon.

WHO IS LIKELY TO SUFFER? Unknown.

OTHER SOLUTIONS CONSIDERED? Agenda change requests 4 and 17 were considered at the October 2012 Work Session and the formation of a task force, consisting of two board members and nine members of various user groups (three Upper Subdistrict set gill net fishers, one drift gill net fisher, two sport anglers, one sport fish guide, one personal use fisher, and one

marine recreational angler) to develop management provisions was selected as a preferred solution.

PROPOSED BY: Alaska Board of Fisheries.

(formerly ACRs 4 and 17)
